Attorneys at Law

45 Broadway, Suite 430, New York, New York 10006 Tel: (212) 248-7431 Fax: (212) 901-2107 www.nycemploymentattorney.com a Professional Limited Liability Company

July 21, 2023

Via ECF

Honorable Jesse M. Furman United States District Judge Southern District of New York 40 Centre Street, Room 2202 New York, New York 10007

Re: Baptiste v. The Bank of New York Mellon, et al.

Case No.: 1:22-cv-08045

Dear Judge Furman,

We represent the Plaintiff in this matter. We write jointly with counsel for Defendants regarding the parties' current deadline to conclude fact discovery. This is the parties' second request for an extension of discovery. The first extension was granted on May 23, 2023 (ECF 25). To date, the parties have been working collaboratively in the process of document production, and have conducted depositions of the Plaintiff, the named individual Defendant, and one other witness deposition to date.

Due to unforeseen circumstances regarding a delay in the release of Plaintiff's medical records that were outside the control of both parties, and a scheduling conflict from Plaintiff's counsel, there was a delay in conducting Plaintiff's deposition. As such, there are remaining depositions, as well as post-Examination Before Trial discovery demands, that must be completed. To that end, the parties are in the process of scheduling the depositions of two former employees of Defendant by agreement in August.

In light of the remaining document production, and the remaining depositions, the parties respectfully request a thirty (30) day extension, and the following revised deadlines:

Event	Original Deadline	Current Deadline	Requested Deadline
Fact Discovery (ECF 22 ¶ 8(b))	May 26, 2023	July 25, 2023	August 24, 2023
Settlement Discussions Between Parties (ECF ¶ 12)	14 days following the close of fact discovery	14 days following the close of fact discovery	14 days following the close of fact discovery

The parties' next scheduled appearance before the Court is the pretrial conference presently set for August 2, 2023. We also acknowledge the parties have an outstanding expert discovery deadline of September 11, 2023.

We thank Your Honor for your time and attention to this matter. The parties are available to answer any questions as needed.

Respectfully Submitted,

/s/ Laura E. Bellini, Esq.

Laura E. Bellini

PHILLIPS & ASSOCIATES, PLLC

45 Broadway, Suite 430 New York, New York 10006 (212) 248-7431

cc: Counsel of Record (via ECF)

/s/ Gina F. McGuire, Esq.

(212) 309 -6000

Gina F. McGuire MORGAN, LEWIS & BOCKIUS LLP 101 Park Avenue New York, NY 10178-0060

Application GRANTED. No further extensions of the fact discovery deadline are likely to be granted. Further, the expert discovery deadline - which the parties do not seek to modify - remains September 11, 2023. In light of the foregoing, the pretrial conference scheduled for August 2, 2023, is ADJOURNED to August 30, 2023, at 9 a.m. The Clerk of Court is directed to terminate ECF No. 26.

July 21, 2023